

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

McHENRY et al

Serial No. 09/829,393

Filed: April 10, 2001

For: CUSTOMIZED MOTOR OIL SELECTION

Attention: Application Branch

Atty. Dkt. 608-281

Date: August 14, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

The attached completes filing of the above-identified patent application:

- ☒ Signed Rule 63 Declaration alone, ☐ Copy of Declaration from prior application alone, OR
☐ Signed Declaration plus attached copy of originally filed specification/drawings.
☒ **NOTICE TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED** form.
☒ Record the attached assignment and return to the undersigned.
☐ Attached is a Power of Attorney.
☐ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:
- | Application Number | Country | Day/Month/Year Filed |
|--------------------|---------|----------------------|
|--------------------|---------|----------------------|

respectively.

- ☐ Certified copy(ies) of foreign application(s) is/are attached.
☐ Certified copy(ies) filed on _____ in prior application no. _____, filed _____.
☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.
☐ Please enter the attached and/or below preliminary amendment prior to calculation of filing fee.
☒ Also attached: ☒ **Explanation of Fee Calculation and Payment**

Fees due are calculated below:

Basic filing fee					\$	710.00
Total Effective claims	41	- 20 =	21	x \$	18.00	\$ 378.00
Independent claims	2	- 3 =	0	x \$	80.00	\$ 0.00
If any proper multiple dependent claims now added for first time, add \$270.00 (ignore improper)						\$ 270.00
FILING FEE						\$ 1,358.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$390.00/2 months; \$890.00/3 months; \$1390.00/4 months)						\$ 0.00
Surcharge (\$130.00) if Declaration or filing fee first now submitted						\$ 130.00
FIRST SUBTOTAL						\$ 1,488.00
If "small entity," enter half (½) of subtotal and subtract						-\$ 0.00
SECOND SUBTOTAL						\$ 1,488.00
Assignment Recording Fee (\$40.00)						\$ 40.00
TOTAL FEE DUE						\$ 1,528.00
Check enclosed (Pre-Bill)*						\$ 1528.00
Check enclosed (non Pre-Bill)*						\$
TOTAL FEE ENCLOSED						\$ 1528.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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BHD:lmy

NIXON & VANDERHYTE P.C.

By Atty: Bryan H. Davidson, Reg. No. 30,251

Signature: _____

*For N&V internal accounting purposes



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

McHENRY et al

Atty. Ref.: **608-281**

Serial No. **09/829,393**

Group: **2165**

Filed: **April 10, 2001**

Examiner:

For: **CUSTOMIZED MOTOR OIL SELECTION**

* * * * *

August 14, 2001

Honorable Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir:

EXPLANATION OF FEE CALCULATION AND PAYMENT

The Notice to File Missing Parts of Nonprovisional Application mailed June 26, 2001, indicates that an additional claim fee for claims over 20 is based on 19 additional claims and hence a fee of \$342.00 is due. The undersigned believes that there are 21 additional claims and the fee should be \$378.00 (\$36.00 more). This is based on the following reasoning:

1. The total of numbered claims is 33.
2. Claims 13 and 14 are each properly multiply dependent on "at least one of claims 8-12", thereby counting as five claims each; i.e., four claims more than one.

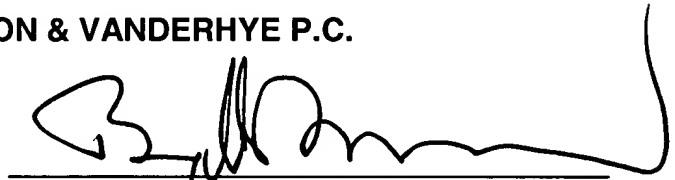
3. Thus, 33 numbered claims plus eight more (four each for claims 13 and 14) equals a total count of 41 claims, rendering 21 claims over the limit of 20 claims.
4. 21 additional claims times the fee of \$18.00 equals \$378.00.

If for some reason the undersigned's calculation is incorrect, it is requested that any overpayment be credited to the undersigned's Deposit Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



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COMMISSIONER FOR PATENTS
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/829,393	04/10/2001	Michael E. McHenry	608-281

CONFIRMATION NO. 8969

FORMALITIES LETTER



OC000000006101186

NIXON & VANDERHYE P.C.
8th Floor
1100 North Glebe Road
Arlington, VA 22201

Date Mailed: 07/26/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$612.
 - \$342 for 19 total claims over 20.
 - \$270 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1452.**

*A copy of this notice **MUST** be returned with the reply.*

08/16/2001 MBERHE 00000090 09829393

01 FC:101	710.00 OP
02 FC:105	130.00 OP
03 FC:103	378.00 OP
04 FC:104	270.00 OP

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE